



General Assembly

February Session, 2004

Amendment

LCO No. 4603

HB0569004603HDO

Offered by:

REP. LYONS, 146th Dist.

REP. GIANNAROS, 21st Dist.

REP. MERRILL, 54th Dist.

To: House Bill No. 5690

File No. 575

Cal. No. 391

**"AN ACT CONCERNING EXPENDITURES FOR THE PROGRAMS
AND SERVICES OF THE DEPARTMENT OF EDUCATION."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 10-16o of the general statutes, as amended by
4 section 39 of public act 03-76, is repealed and the following is
5 substituted in lieu thereof (*Effective July 1, 2004*):

6 The state shall encourage the development of a network of school
7 readiness programs pursuant to sections 10-16p to 10-16r, inclusive, as
8 amended, 10-16u and 17b-749a in order to:

9 (1) Provide open access for children to quality programs that
10 promote the health and safety of children and prepare them for formal
11 schooling;

12 (2) Provide opportunities for parents to choose among affordable
13 and accredited [or approved] programs;

14 (3) Encourage coordination and cooperation among programs and
15 prevent the duplication of services;

16 (4) Recognize the specific service needs and unique resources
17 available to particular municipalities and provide flexibility in the
18 implementation of programs;

19 (5) Prevent or minimize the potential for developmental delay in
20 children prior to their reaching the age of five;

21 (6) Enhance federally funded school readiness programs;

22 (7) Strengthen the family through: (A) Encouragement of parental
23 involvement in a child's development and education; and (B)
24 enhancement of a family's capacity to meet the special needs of the
25 children, including children with disabilities;

26 (8) Reduce educational costs by decreasing the need for special
27 education services for school age children and to avoid grade
28 repetition;

29 (9) Assure that children with disabilities are integrated into
30 programs available to children who are not disabled; and

31 (10) Improve the availability and quality of school readiness
32 programs and their coordination with the services of child care
33 providers.

34 Sec. 2. Section 10-16p of the general statutes, as amended by sections
35 15, 30 and 32 of public act 03-6 of the June 30 special session, is
36 repealed and the following is substituted in lieu thereof (*Effective July*
37 *1, 2004*):

38 (a) As used in sections 10-16o to 10-16r, inclusive, as amended, 10-
39 16u, 17b-749a and 17b-749c:

40 (1) "School readiness program" means a nonsectarian program that
41 (A) meets the standards set by the department pursuant to subsection
42 (b) of this section and the requirements of section 10-16q, as amended
43 by this act, and (B) provides a developmentally appropriate learning
44 experience of not less than four hundred fifty hours and one hundred
45 eighty days for eligible children, [provided, for the fiscal years ending
46 June 30, 1998, and June 30, 1999, the commissioner may approve
47 programs that provide learning experiences which are for less than
48 said hours and days] except as provided in subsection (d) of said
49 section 10-16q;

50 (2) "Eligible children" means children three and four years of age
51 and children five years of age who are not eligible to enroll in school
52 pursuant to section 10-15c, or who are eligible to enroll in school and
53 will attend a school readiness program pursuant to section 10-16t;

54 (3) "Priority school" means a school in which forty per cent or more
55 of the lunches served are served to students who are eligible for free or
56 reduced price lunches pursuant to federal law and regulations,
57 excluding such a school located in a priority school district pursuant to
58 section 10-266p, as amended, or in a former priority school district
59 receiving a grant pursuant to subsection (c) of this section and, on and
60 after July 1, 2001, excluding such a school in a transitional school
61 district receiving a grant pursuant to section 10-16u, as amended;

62 (4) "Severe need school" means a school in a priority school district
63 pursuant to section 10-266p, as amended, or in a former priority school
64 district in which forty per cent or more of the lunches served are
65 served to students who are eligible for free or reduced price lunches;

66 (5) "Accredited" means accredited by the National Association for
67 the Education of Young Children, a Head Start on-site program review
68 instrument or a successor instrument pursuant to federal regulations,
69 or otherwise meeting such criteria as may be established by the
70 commissioner, in consultation with the Commissioner of Social
71 Services;

72 [(6) "Approved" means meeting the criteria established by the
73 commissioner, in consultation with the Commissioner of Social
74 Services;]

75 [(7)] (6) "Year-round" means fifty weeks per year, except as
76 provided in subsection (d) of section 10-16q, as amended by this act;

77 [(8)] (7) "Commissioner" means the Commissioner of Education; and

78 [(9)] (8) "Department" means the Department of Education.

79 (b) The Department of Education shall be the lead agency for school
80 readiness. For purposes of this section and section 10-16u, school
81 readiness program providers eligible for funding from the Department
82 of Education shall include local and regional boards of education,
83 regional educational service centers, family resource centers and
84 providers of child day care centers, as defined in section 19a-77, as
85 amended, Head Start programs, preschool programs and other
86 programs that meet such standards established by the Commissioner
87 of Education. The department shall establish standards for school
88 readiness programs. The standards may include, but need not be
89 limited to, guidelines for staff-child interactions, curriculum content,
90 including preliteracy development, lesson plans, parent involvement,
91 staff qualifications and training, and administration. The department
92 shall develop age-appropriate developmental skills and goals for
93 children attending such programs. The commissioner, in consultation
94 with the Commissioners of Higher Education and Social Services and
95 other appropriate entities, shall develop a continuing education
96 training program for the staff of school readiness programs. For
97 purposes of this section, on and after July 1, 2004, "staff qualifications"
98 means there is in each classroom an individual who has at least the
99 following: (1) A credential issued by an organization approved by the
100 Commissioner of Education and nine credits or more in early
101 childhood education or child development from an institution of
102 higher education accredited by the Board of Governors of Higher
103 Education or regionally accredited; (2) an associate's degree in early

104 childhood education or child development from such an institution; or
105 (3) a four-year degree in early childhood education or child
106 development from such an institution.

107 (c) The Commissioner of Education, in consultation with the
108 Commissioner of Social Services, shall establish a grant program to
109 provide spaces in accredited [or approved] school readiness programs
110 for eligible children who reside in priority school districts pursuant to
111 section 10-266p, as amended, or in former priority school districts as
112 provided in this subsection. Under the program, the grant shall be
113 provided, in accordance with this section, to the town in which such
114 priority school district or former priority school district is located.
115 Eligibility shall be determined for a five-year period based on an
116 applicant's designation as a priority school district for the initial year
117 of application, except that if a school district that receives a grant
118 pursuant to this subsection is no longer designated as a priority school
119 district at the end of such five-year period, such former priority school
120 district shall continue to be eligible to receive a grant pursuant to this
121 subsection. Grant awards shall be made annually contingent upon
122 available funding and a satisfactory annual evaluation. The chief
123 elected official of such town and the superintendent of schools for such
124 priority school district or former priority school district shall submit a
125 plan for the expenditure of grant funds and responses to the local
126 request for proposal process to the Departments of Education and
127 Social Services. The departments shall jointly review such plans and
128 shall each approve the portion of such plan within its jurisdiction for
129 funding. The plan shall: (1) Be developed in consultation with the local
130 or regional school readiness council established pursuant to section 10-
131 16r; (2) be based on a needs and resource assessment; (3) provide for
132 the issuance of requests for proposals for providers of accredited [or
133 approved] school readiness programs, provided, after the initial
134 requests for proposals, facilities that have been approved to operate a
135 child care program financed through the Connecticut Health and
136 Education Facilities Authority and have received a commitment for
137 debt service from the Department of Social Services pursuant to

138 section 17b-749i, are exempt from the requirement for issuance of
139 annual requests for proposals; and (4) identify the need for funding
140 pursuant to section 17b-749a in order to extend the hours and days of
141 operation of school readiness programs in order to provide child day
142 care services for children attending such programs.

143 (d) (1) The Commissioner of Education, in consultation with the
144 Commissioner of Social Services, shall establish a competitive grant
145 program to provide spaces in accredited [or approved] school
146 readiness programs for eligible children who reside in an area served
147 by a priority school or a former priority school as provided for in
148 subdivision (2) of this subsection. A town in which such a school is
149 located or a regional school readiness council, pursuant to subsection
150 (c) of section 10-16r, for a region in which such a school is located may
151 apply for such a grant in an amount not to exceed one hundred seven
152 thousand dollars per priority school. Eligibility shall be determined for
153 a five-year period based on an applicant's designation as having a
154 priority school for the initial year of application. Grant awards shall be
155 made annually contingent upon available funding and a satisfactory
156 annual evaluation. The chief elected official of such town and the
157 superintendent of schools of the school district or the regional school
158 readiness council shall submit a plan, as described in subsection (c) of
159 this section, for the expenditure of such grant funds to the Department
160 of Education. In awarding grants pursuant to this subsection, the
161 commissioner shall give preference to applications submitted by
162 regional school readiness councils and may, within available
163 appropriations, provide a grant in excess of one hundred seven
164 thousand dollars to towns with two or more priority schools in such
165 district. A town or regional school readiness council awarded a grant
166 pursuant to this subsection shall use the funds to purchase spaces for
167 such children from providers of accredited [or approved] school
168 readiness programs.

169 (2) (A) Commencing with the fiscal year ending June 30, 2004, if a
170 town received a grant pursuant to subdivision (1) of this subsection for
171 a priority school and is no longer eligible to receive such a grant for

172 such school, the town may receive a phase-out grant for each of the
173 three fiscal years following the fiscal year such town received its final
174 grant for such school pursuant to subdivision (1) of this subsection.
175 The amount of such phase-out grants shall be determined in
176 accordance with subparagraph (B) of this subdivision.

177 (B) (i) For the first fiscal year following the fiscal year such town
178 received its final priority school grant for such school pursuant to
179 subdivision (1) of this subsection, in an amount that does not exceed
180 seventy-five per cent of the grant amount such town received for such
181 school for the school's final year of eligibility pursuant to subdivision
182 (1) of this subsection. (ii) For the second fiscal year following the fiscal
183 year such town received its final priority school grant for such school
184 pursuant to subdivision (1) of this subsection, in an amount that does
185 not exceed fifty per cent of the grant amount such town received for
186 such school for the school's final year of eligibility pursuant to
187 subdivision (1) of this subsection. (iii) For the third fiscal year
188 following the fiscal year such town received its final priority school
189 grant for such school pursuant to subdivision (1) of this subsection, in
190 an amount that does not exceed twenty-five per cent of the grant
191 amount such town received for such school for the school's final year
192 of eligibility pursuant to subdivision (1) of this subsection.

193 (e) (1) [Ninety-three per cent of the amount appropriated for
194 purposes of this section shall be used for the grant program pursuant
195 to subsection (c) of this section.] Priority school districts and former
196 priority school districts shall receive grants based on their proportional
197 share of the sum of the products obtained by multiplying the average
198 number of enrolled kindergarten students in each priority school
199 district and in each former priority school district for the three years
200 prior to the year the grant is to be paid, by the ratio of the average
201 percentage of free and reduced price meals for all severe need schools
202 in such district to the minimum percentage requirement for severe
203 need school eligibility, provided no such school district shall receive a
204 grant that is less than the grant it received for the prior fiscal year or a
205 grant that is less than one hundred fifty thousand dollars.

206 [(2) Six and five-tenths per cent of the amount appropriated for
207 purposes of this section shall be used for the competitive grant
208 program pursuant to subsection (d) of this section.]

209 [(3)] (2) The Department of Education may retain up to five-tenths
210 of one per cent of the amount appropriated for purposes of this section
211 for coordination, program evaluation and administration.

212 [(4)] (3) If a town that is eligible for a grant pursuant to subsection
213 (c) of this section does not submit, by [January] October first, a plan
214 which is subsequently approved for the expenditure of the entire
215 amount of funds for which such town is eligible, the department may
216 use up to [fifty] seventy per cent of any amounts such town has not
217 earmarked for expenditure, to provide supplemental grants to other
218 towns that are eligible for grants pursuant to subsection (c) of this
219 section, and the remaining thirty per cent of any amounts such town
220 has not earmarked for expenditure, for school readiness professional
221 development, including, but not limited to, scholarship assistance for
222 school readiness staff to attain early childhood education certification
223 and staff training to enhance literacy teaching skills.

224 (f) Any school readiness program that receives funds pursuant to
225 this section or section 10-16u, as amended, shall not discriminate on
226 the basis of race, color, national origin, gender, religion or disability.
227 For purposes of this section, a nonsectarian program means any public
228 or private school readiness program that is not violative of the
229 Establishment Clause of the Constitution of the State of Connecticut or
230 the Establishment Clause of the Constitution of the United States of
231 America.

232 (g) Subject to the provisions of this subsection, no funds received by
233 a town pursuant to subsection (c) or (d) of this section or section 10-
234 16u, as amended, shall be used to supplant federal, state or local
235 funding received by such town for early childhood education,
236 provided (1) a town may use the greater of (A) twenty-five thousand
237 dollars, or (B) up to five per cent but no more than fifty thousand

dollars of the amount received pursuant to subsection (c) or (d) of this section or section 10-16u, as amended, for coordination, program evaluation and administration, and (2) if a town provides twenty-five thousand dollars in local funding for early childhood education coordination, program evaluation and administration, such town may use up to ten per cent but no more than seventy-five thousand dollars of such amount for coordination, program evaluation and administration. Each town that receives a grant pursuant to said subsection (c) or (d) or section 10-16u, as amended, shall designate a person to be responsible for such coordination, program evaluation and administration and to act as a liaison between the town and the Departments of Education and Social Services. Each school readiness program that receives funds pursuant to this section or section 10-16u, as amended, shall provide information to the department or the school readiness council, as requested, that is necessary for purposes of any school readiness program evaluation.

(h) For the first three years a town receives grants pursuant to this section, such grants may be used, with the approval of the commissioner, to prepare a facility or staff for operating a school readiness program and shall be adjusted based on the number of days of operation of a school readiness program if a shorter term of operation is approved by the commissioner.

(i) A town may use grant funds to purchase spaces for eligible children who reside in such town at an accredited [or approved] school readiness program located in another town. A regional school readiness council may use grant funds to purchase spaces for eligible children who reside in the region covered by the council at an accredited [or approved] school readiness program located outside such region.

(j) Children enrolled in school readiness programs funded pursuant to this section shall not be counted (1) as resident students for purposes of subdivision (22) of section 10-262f, as amended, or (2) in the determination of average daily membership pursuant to

271 subdivision (2) of subsection (a) of section 10-261, as amended.

272 (k) Notwithstanding any provisions of this section, for the fiscal
273 year ending June 30, 2003, the amount available for the competitive
274 grant program shall be two million five hundred seventy-six thousand
275 five hundred eighty dollars and the maximum administrative amount
276 shall not be more than one hundred ninety-eight thousand one
277 hundred ninety-nine dollars. Notwithstanding the provisions of this
278 section, for the fiscal year ending June 30, 2004, the amount available
279 for the competitive grant program shall be two million three hundred
280 nine thousand two hundred forty-nine dollars and the maximum
281 administrative amount shall not be more than one hundred ninety-
282 eight thousand one hundred ninety-nine dollars. Notwithstanding
283 the provisions of this section, for the fiscal year ending June 30, 2005,
284 the amount available for the competitive grant program shall be two
285 million three hundred eighteen thousand three hundred forty-nine
286 dollars and the maximum administrative amount shall not be more
287 than one hundred ninety-eight thousand one hundred ninety-nine
288 dollars.

289 Sec. 3. Section 10-16q of the general statutes is repealed and the
290 following is substituted in lieu thereof (*Effective July 1, 2004*):

291 (a) Each school readiness program shall include: (1) A plan for
292 collaboration with other community programs and services, including
293 public libraries, and for coordination of resources in order to facilitate
294 full-day and year-round child care and education programs for
295 children of working parents and parents in education or training
296 programs; (2) parent involvement, parenting education and outreach;
297 (3) (A) record-keeping policies that require documentation of the name
298 and address of each child's doctor, primary care provider and health
299 insurance company and information on whether the child is
300 immunized and has had health screens pursuant to the federal Early
301 and Periodic Screening, Diagnostic and Treatment Services Program
302 under 42 USC 1396d, and (B) referrals for health services, including
303 referrals for appropriate immunizations and screenings; (4) a plan for

304 the incorporation of appropriate preliteracy practices and teacher
305 training in such practices; (5) nutrition services; (6) referrals to family
306 literacy programs that incorporate adult basic education and provide
307 for the promotion of literacy through access to public library services;
308 (7) admission policies that promote enrollment of children from
309 different racial, ethnic and economic backgrounds and from other
310 communities; (8) a plan of transition for participating children from the
311 school readiness program to kindergarten and provide for the transfer
312 of records from the program to the kindergarten program; (9) a plan
313 for professional development for staff, including, but not limited to,
314 training (A) in preliteracy skills development, and (B) designed to
315 assure respect for racial and ethnic diversity; (10) a sliding fee scale for
316 families participating in the program pursuant to section 17b-749d;
317 and (11) an annual evaluation of the effectiveness of the program. On
318 and after July 1, 2000, school readiness programs shall use the
319 assessment measures developed pursuant to section 10-16s in
320 conducting their annual evaluations.

321 (b) The per child cost of the Department of Education school
322 readiness component of the program offered by a school readiness
323 provider shall not exceed [the foundation, as defined in subdivision (9)
324 of section 10-262f] six thousand four hundred dollars. A school
325 readiness provider may provide child day care services and the cost of
326 such child day care services shall not be subject to such per child cost
327 limitation.

328 (c) A local or regional board of education may implement a sliding
329 fee scale for the cost of services provided to children enrolled in a
330 school readiness program.

331 (d) A town or school readiness council may file a waiver application
332 to the Department of Education on forms provided by the department
333 for the purpose of seeking approval of a school readiness schedule that
334 varies from the minimum hours and number of days provided for in
335 subdivision (1) of subsection (a) of section 10-16p, as amended by this
336 act, or from the definition of a year-round program pursuant to

337 subdivision (7) of said subsection (a). The Department of Education
338 may, in consultation with the Department of Social Services, approve
339 any such waiver if the departments find that the proposed schedule
340 meets the purposes set forth in the provisions of section 10-16o, as
341 amended, concerning the development of school readiness programs
342 and maximizes available dollars to serve more children or address
343 community needs.

344 Sec. 4. Section 10-16u of the general statutes is repealed and the
345 following is substituted in lieu thereof (*Effective July 1, 2004*):

346 For the fiscal year ending June 30, 2002, and each fiscal year
347 thereafter, the Commissioner of Education, in consultation with the
348 Commissioner of Social Services, shall provide grants, within available
349 appropriations, to eligible school readiness program providers
350 pursuant to subsection (b) of section 10-16p, as amended, to provide
351 spaces in accredited [or approved] school readiness programs for
352 eligible children who reside in transitional school districts pursuant to
353 section 10-263c, except for transitional school districts eligible for
354 grants pursuant to subsection (c) of section 10-16p, as amended. Under
355 the program, the grant shall be provided to the town in which such
356 transitional school district is located. Eligibility shall be determined for
357 a five-year period based on a school district's designation as a
358 transitional school district in the initial year of application, except that
359 grants pursuant to this section shall not be provided for transitional
360 school districts eligible for grants pursuant to subsection (c) of said
361 section 10-16p, as amended. Grant awards shall be made annually
362 contingent upon available funding and a satisfactory annual
363 evaluation. The chief elected official of such town and the
364 superintendent of schools for such transitional school district shall
365 submit a plan for the expenditure of grant funds and responses to the
366 local request for proposal process to the Departments of Education and
367 Social Services. The departments shall jointly review such plans and
368 shall each approve the portion of such plan within its jurisdiction for
369 funding. The plan shall meet the requirements specified in subsection
370 (c) of said section 10-16p, as amended. "

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>July 1, 2004</i>
Sec. 3	<i>July 1, 2004</i>
Sec. 4	<i>July 1, 2004</i>